

that I was "perfect" for the job. (Later, I was interviewed by Mr. Patrick Ward who stated that my international trading experience was "on point.")

6. I was interviewed by Mr. Patrick Ward. During the interview, Mr. Ward asked me about my national origin three times. I finally gave into the pressure of this inappropriate question and stated that I was of Jamaican origin. Mr. Ward then advised me that he had a Haitian on his team and was himself from Barbados but that in the past he had not gotten along well with Jamaicans with whom he had worked.

7. I was denied the position. Although it is true that I sent a thank-you note to Mr. Ward, this is simply a professional courtesy and is a pre-written thank you note I normally send after job interviews.

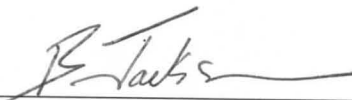
8. Further, at my deposition I had difficulty explaining some of the managed account terms because I have been out of managed accounts for some time now and I did not prepare for the deposition as I would have for a job interview. I also note that the employee hired by the Employer for the position in question was hired *after* I formally filed a complaint of discrimination against the Employer.

9. I did work for Merrill Lynch but the work was done as a consultant intermittently over the time period in question. Thus, my nominal employer was a third-party agency which is probably why Merrill Lynch does not have records of my having worked there.

10. If I had been offered the position with the Employer, I would have completed an application which would have specified the exact name of my nominal employer and all the relevant particulars.

11. Although it is true that I obtained employment subsequent to being denied the job with the Employer, that employment has since ended.

12. I certify that the foregoing statements are true. If any is willfully false, I am subject to punishment.



Bryon Jackson

Dated: February 6, 2011
New York, New York